

29 SEP 2006



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In re Application of	:	DECISION ON
FUKUI et al	:	
Int. Application: PCT/US03/06601	:	
Application No.: 10/547,531	:	
Int. Filing Date: 04 March 2003	:	REQUEST UNDER
Priority Date: None	:	
Attorney's Docket No.: 75772-010500/US	:	
For: HIGH ELECTRIC FIELD ELECTROLYSIS	:	
CELL	:	37 CFR 1.497(d)

This is a decision on petitioner's "RESPONSE TO DECISION ON REQUEST" filed on 31 July 2006, which is being treated as a request under 37 CFR 1.497(d) to delete joint inventor Tim M. Itamura in the executed declaration.

**BACKGROUND**

In a decision from this Office mailed on 31 May 2006, the decision indicated that the request was dismissed because the request did not satisfy items (3) and (4) of 37 CFR 1.497(d).

On 31 July 2006, applicants filed the current communication, which included, *inter alia*, a copy of the assignment of the patent application to FRS Waterware, Inc..

**DISCUSSION**

A review of the renewed request reveals that applicant has satisfied item (3) of 37 CFR 1.497(d). In regard to item (3), FRS Waterware, Inc. has submitted a copy of the assignment showing that FRS Waterware, Inc. is the assignee of the above application and has establish its right to take action under 37 CFR §3.73(b), and has consented to remove Itamura as an inventor.

Applicants have also submitted a properly executed declaration.

Accordingly, applicant is deemed to satisfy requirements (1), (2), and (3) under 37 CFR 1.497(d).

**CONCLUSION**

For the reasons above, the request under 37 CFR 1.497(d) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing consistent with this decision. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **31 July 2006**.



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